

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FABRICE KAMAYOU,

Plaintiff,

v.

UNIVERSITY OF MASSACHUSETTS,
LOWELL, UNIVERSITY OF
MASSACHUSETTS, LOWELL POLICE
DEPARTMENT, BOHDAN ZARYCKYJ,
MARK SCHAFF, and SCOTT CHILDS,

Defendants.

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Civil Action No. 16-cv-10098-IT

ORDER

TALWANI, D.J.

After considering the Magistrate Judge's September 7, 2018, Report and Recommendation [#61], and noting that there has been no objection, the court hereby ACCEPTS and ADOPTS the Report and Recommendation [#61] for the reasons set forth therein.

Defendants' Motion for Summary Judgment [#33] is ALLOWED on all counts with respect to Defendant Bohdan Zaryckyj (Counts I, III, IV, and V).

As to Defendants Mark Schaaf and Scott Childs, the Motion for Summary Judgment [#33] is ALLOWED as to Counts III and IV and DENIED as to Count V. As to Count I, the motion is DENIED in part as to the claim of excessive force and ALLOWED in part as to all other claims under 42 U.S.C. § 1983.

IT IS SO ORDERED.

Date: September 25, 2018

/s/ Indira Talwani
United States District Judge